

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: George Fry

Title: APPARATUS, AND  
ASSOCIATED METHOD, FOR  
EFFECTUATING A DATA  
SERVICE DESIGNATED BY A  
SERVICE DELIVERY MODE

Appl. No.: 10/767,451

Filing Date: 1/29/2004

Examiner: Taylor, Barry W.

Art Unit: 2617

Confirmation Number: 3939

**AMENDMENT AND REPLY UNDER 37 CFR 1.116**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Final Office Action dated March 9, 2009 and the Notice of Pre-Appeal Brief Decision dated October 6, 2009, concerning the above-referenced patent application.

Applicant has enclosed with this amendment a Petition for Extension of Time to make this response timely.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks/Arguments** begin on page 11 of this document.

Please amend the application as follows: